

1Fw 16428/

Certificate of Mailing [37 CFR 1.8(a)]

I hereby certify that this paper and the documents referred to as attached therein are being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Denise Ortega
Name

June 8, 2005
Date

Denise Ortega
Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Jan Zavada et al.

Serial No.: 09/807,949

Group Art Unit: 1642

Filed : August 9, 2001

Examiner: Christopher H. Yaen

For : MN Gene and Protein

AMENDMENT TRANSMITTAL AND
PETITION AND FEE FOR EXTENSION OF TIME
UNDER 37 CFR 1.136(a)

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a response to the Office Action mailed from the U.S. Patent and Trademark Office (PTO) on February 9, 2005. Applicants petition for an extension of time for a total period of one month to respond to that Office Action which concerns the above-identified application. A response in

connection with the matter for which this extension is requested is filed herewith.

A request for payment by credit card of the fee for a one-month extension of time under 37 CFR 1.17(a)(1) accompanies this transmittal.

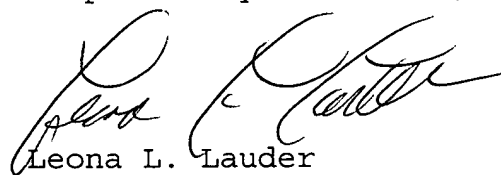
No additional fee should be required for the accompanying response. The fee for claims has been calculated as shown below:

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE
TOTAL	12	MINUS	22	= 0	X \$ 50	\$ 0.00
INDEP.	1	MINUS	4	= 0	X \$200	\$ 0.00

[] FIRST PRESENTATION OF MULTIPLE DEP. CLAIM + \$360 \$
TOTAL \$ 0.00

If for any reason, the credit card payment is not adequate for payment of any fees or should any additional fees be determined to be necessary in connection with this paper, Applicants respectfully request that any such fees be charged to Deposit Account No. 12-0615.

Respectfully submitted,


Leona L. Lauder
Attorney for Applicants
Registration No. 30,863

Dated: June 8, 2005



American Type Culture Collection

12301 Parklawn Drive • Rockville, MD 20852 USA • Telephone: (301)231-5520 Telex: 898-055 ATCCNORTH • FAX: 301-770-2587

BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

INTERNATIONAL FORM

RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT ISSUED PURSUANT TO RULE 7.3 AND VIABILITY STATEMENT ISSUED PURSUANT TO RULE 10.2

To: (Name and Address of Depositor or Attorney)

Ciba Corning Diagnostics Corporation
Attention: Marian Sacco
1401 Harbor Bay Parkway
Alameda, CA 94502

Deposited on Behalf of: Ciba Corning Diagnostics Corporation

Identification Reference by Depositor:

ATCC Designation

Hybridoma, MN 12.2.2

HB 11647

The deposit was accompanied by: ☐ a scientific description ☐ a proposed taxonomic description indicated above.

The deposit was received June 9, 1994 by this International Depository Authority and has been accepted.

AT YOUR REQUEST:

☒ We will inform you of requests for the strain for 30 years.

The strain will be made available if a patent office signatory to the Budapest Treaty certifies one's right to receive, or if a U.S. Patent is issued citing the strain.

If the culture should die or be destroyed during the effective term of the deposit, it shall be your responsibility to replace it with living culture of the same.

The strain will be maintained for a period of at least 30 years after the date of deposit, and for a period of at least five years after the most recent request for a sample. The United States and many other countries are signatory to the Budapest Treaty.

The viability of the culture cited above was tested June 10, 1994. On that date, the culture was viable.

International Depository Authority: American Type Culture Collection, Rockville, Md. 20852 USA

Signature of person having authority to represent ATCC:

Bobbie A. Brandon

Date: June 14, 1994

Bobbie A. Brandon, Head, ATCC Patent Depository

cc: Ellen Sampson
Leona Lauder ✓